

# FAX TRANSMISSION

DATE: May 3, 2010

PTO IDENTIFIER: Application Number 10/586,128-Conf. #1798  
Patent Number

Inventor: Dominique Quesselaire et al.

MESSAGE TO: Examiner Coppola

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PAGES (Including Cover Sheet): 4

CONTENTS: Applicant Initiated Interview Request Form (3 pages)

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Doc Code: M865 or FAI.REQ.INTV

PTOL-413A (10-09)  
Approved for use through 07/31/2012. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE**Applicant Initiated Interview Request Form**

Application No.: 10/586,128-Conf. #1798 First Named Applicant: Dominique Quesseaire  
 Examiner: J. C. Coppola Art Unit: 3621 Status of Application: PUBLISHED

**Tentative Participants:**

(1) Examiner Coppola (2) Aly Dossa (Reg. No. 63,372)  
 (3) Annemarie Vicere (Reg. No. 58,965) (4) \_\_\_\_\_

Proposed Date of Interview: May 7, 2010 Proposed Time: 2:00 PM Eastern**Type of Interview Requested:**

(1)  Telephonic (2)  Personal (3)  Video Conference

Exhibit To Be Shown or Demonstrated:  YES  NO

If yes, provide brief description: \_\_\_\_\_

**Issues To Be Discussed**

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej. 112</u>	<u>13, 14, 16-20</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej. 103</u>	<u>13, 14, 16-20</u>	<u>Wilkes, Goldthwaite</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

 Continuation Sheet Attached Proposed Amendment or Arguments Attached**Brief Description of Arguments to be Presented:**

Please see attached agenda

An interview was conducted on the above-identified application on \_\_\_\_\_.  
**NOTE:**This form should be completed by applicant and submitted to the examiner in advance of the interview  
 (see MPEP §713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

  
 \_\_\_\_\_ Applicant/Applicant's Representative Signature \_\_\_\_\_ Examiner/SPE Signature

 Aly Z. Dossa  
 Typed/Printed Name of Applicant or Representative

 63,372  
 Registration Number, if applicable

Application No.: 10/586,128

Docket No.: 09669/092001

Agenda for Examiner Interview

## Participants:

Examiner Coppola  
Aly Dossa (Reg. No. 63,372)  
Annemarie Vicere (Reg. No. 58,965)

Date/Time: May 7, 2010 at 2:00 Eastern (1:00 PM Central). We will call 571-270-3922 on the aforementioned date/time.

During the Examiner interview, we would like to discuss the following:

- Provide a brief overview of the invention with a focus on the limitations shown in bold below.
- Discuss the rejection under 35 U.S.C. § 112. Specifically, the Examiner states that it is unclear whether the Applicant is claiming a merchant transaction terminal or a merchant transaction terminal and a virtual terminal server. Applicant respectfully notes that claim 13 clearly claims a merchant transaction terminal in terms of functional language. In other words, the SIM card of the merchant transaction terminal is defined, in part, by what it does (*i.e.*, to communicate with (not a part of) a virtual terminal server). Such claims are not improper under MPEP § 2173.05(g). In other words, similar to the payment card, the virtual terminal server is not claimed as a component of the merchant transaction terminal, but rather further defines the functionality of the functionality of the SIM card of the merchant transaction terminal.
- Discuss the teachings of U.S. Pat. Pub. No. 2005/0097015 ("Wilkes") and U.S. Pat. Pub. No. 2004/0176134 ("Goldthwaite") as applied to claim 13.
- Discuss any additional amendments if necessary.

Application No.: 10/586,128

Docket No.: 09669/092001

Claim 13 as pending:

13. A merchant transaction terminal comprising:

- a human interface module comprising a keypad,** a display, a card reader, a first processing unit and an internal bus for connecting the keypad, the display, the card reader and the first processing unit,
- wherein the keypad is configured to receive input of an amount of a transaction, and**
- wherein the card reader is configured to read a payment card to obtain payment card data from the payment card, and
- a subscriber identity module (SIM) card comprising a scheduler configured to process the transaction, wherein processing the transaction comprises:
  - receiving the payment card data and the amount from the human interface module, and
  - communicating the payment card data and the amount to a virtual terminal server.